

REMARKS

Claims 1-10 are pending. By this amendment, the specification and Claims 3 and 9 are amended. No new matter is presented.

Applicants respectfully submit that no amendment made to the claims herein is related to the statutory requirements of patentability unless expressly stated herein; and no amendment is made for the purpose of narrowing the scope of any claim, unless the Applicants have argued herein that such amendment was a narrowing amendment made to distinguish over a specified reference or references.

Specification

The Office Action objects to the specification for containing asserted informalities. Applicants have amended the specification responsive to the objection, and respectfully submit that the amendment overcomes the objection.

Reconsideration and withdrawal of the objection to the specification are respectfully requested.

Claim Rejections Under Section 112

The Office Action rejects dependent Claims 3 and 9 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

It is stated in the Office Action that there is insufficient antecedent basis for the limitation "said second air introduction member" as recited on line 2 of Claim 3, and the limitation "second air introduction member" as recited on line 3 of Claim 9.

By this response and amendment, Claims 3 and 9 are amended to replace the limitation of "said second air introduction member" with "a second air introduction member." It is respectfully submitted that the amendments to Claims 3 and 9 have obviated the rejection.

Reconsideration and withdrawal of the rejection of Claims 3 and 9 under 35 U.S.C. § 112, second paragraph, are respectfully requested.

Claim Rejections Under Section 102

The Office Action rejects Claims 1, 2, and 8 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,638,653 to Andou et al. (Andou). Applicants respectfully traverse the rejection.

With the filing of the attached verified translation of the priority documents of the present application, Applicants respectfully submit that Andou is not a proper reference under 35 U.S.C. §102, and therefore, cannot properly be used to make a rejection of Claims 1, 2, and 8. Andou was issued on October 28, 2003, and is based upon U.S. Patent Application Serial No. 09/976,364, filed on Oct. 15, 2001. The present application was filed in the U.S. on November 6, 2001, and claims priority from Japanese Application No. 2000-336820, dated November 6, 2000.

According to 35 U.S.C. §102(e), Andou is not a proper reference because the priority date of the present application precedes the publication date of the Andou reference. As noted above, the filing date of Andou is October 15, 2001. However, the priority date of the present application is November 6, 2000. Therefore, based on the above-noted critical dates Andou is not be a valid reference against the claims in this

application under 35 U.S.C. §102(e). A certified copy of the priority document was filed with the application, and acknowledged in the Office Action. In support of the priority date for the present application and to perfect the claim for priority, Applicants have prepared and attached hereto a verified translation of the priority document.

Withdrawal of the rejection is respectfully requested.

Claims 3-6 and 9-10 depend, either directly or indirectly, from one of Claims 1, 2, or 8. It is respectfully submitted herein that these six (6) dependent claims be deemed allowable for at least the same reasons Claims 1, 2, and 8 are allowable as well as for the additional subject matter recited therein.

Withdrawal of the rejections is respectfully requested.

Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objections and rejections, allowance of Claims 1-6 and 8-10, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, making reference to Attorney Docket No. 106145-00028.

Respectfully submitted,
ARENT FOX PLLC

A handwritten signature in black ink, reading "Robert K. Carpenter", written over a horizontal line.

Robert K. Carpenter
Attorney for Applicants
Registration No. 34,794

Customer No. 06145
ARENT FOX PLLC
1050 Connecticut Avenue, NW, Suite 400
Washington, DC 20036-5339
Telephone: (202) 857-6000
Fax: (202) 638-4810